



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**City of Milpitas
California**

For the Fiscal Year Beginning

July 1, 2004

President

Executive Director

The Government Finance Officers' Association of the United States and Canada (GFOA) presented an award of Distinguished Presentation to the City of Milpitas for its annual budget for the fiscal year beginning July 1, 2004. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as an operations guide, as a financial plan, and as a communications device.

The award is valid for a period of one year only. We believe our current budget continues to conform to program requirements, and we are submitting it to the GFOA to determine its eligibility for another award.

*California Society of
Municipal Finance Officers*

Certificate of Award

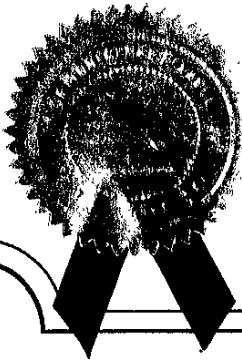
Excellence in Operational Budgeting 2004-05

Presented to

City of Milpitas

*This certificate recognizes Excellent Achievement in Operational Budgeting and reflects an outstanding budget document
and the underlying budgeting process through which the budget is implemented.*

February 24, 2005



Agnes J. Walker
Agnes Walker
Chair, Budgeting & Financial Management

Dedicated to Excellence in Municipal Financial Management

RESOLUTION NO. 7530

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS ADOPTING THE
APPROPRIATIONS LIMIT FOR THE CITY OF MILPITAS FOR FISCAL YEAR 2005-2006**

WHEREAS, Article XIII B, section 1 of the Constitution of the State of California requires that total annual appropriations subject to limitation of the City of Milpitas shall not exceed the appropriations limit of the City for the prior year adjusted for changes in the cost of living and population except as otherwise provided; and

WHEREAS, this article became effective July 1, 1980, as amended, which requires the City to establish its appropriations limit by resolution each year at a regularly scheduled meeting or a noticed special meeting, commencing after the beginning of each fiscal year; and

WHEREAS, the appropriations base for 1978-79 had been determined and adjusted by the changes in population, cost of living, and transfers of financial responsibility, establishing an appropriations limit for fiscal year 2005-2006 of \$53,879,417.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milpitas hereby adopts the appropriations limit for fiscal year 2005-2006, that amount as set forth herein.

PASSED AND ADOPTED this 7th day of June 2005, by the following vote:

AYES: (5) Mayor Esteves, Vice Mayor Gomez, and councilmembers Giordano, Livengood and Polanski.

NOES: (0) None.

ABSENT: (0) None.

ABSTAIN: (0) None.

ATTEST:




Mary Lavelle, City Clerk

APPROVED:



Jose S. Esteves, Mayor

APPROVED AS TO FORM:



Steven T. Mattas, City Attorney

RESOLUTION NO. 7531 / RA235

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AND OF
THE MILPITAS REDEVELOPMENT AGENCY APPROVING THE FINAL BUDGET FOR
THE CITY OF MILPITAS FOR THE FISCAL YEAR 2005-2006**

WHEREAS, the City Manager submitted a 2005-2006 Proposed Budget and Financial Plan; and

WHEREAS, public hearings were held on the proposed Plan where all interested persons were heard; and

WHEREAS, the City Council and the Redevelopment Agency reviewed and modified the City Manager's 2005-2006 Proposed Budget and Financial Plan; and

WHEREAS, on May 10, 2005, the City Council and the Redevelopment Agency approved the 2005-2006 Financial Plan, as amended, and the 2005-2006 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The annual budget for the City of Milpitas for fiscal 2005-2006 is hereby reaffirmed and adopted totaling \$143,021,842 for all appropriated funds.

SECTION 2. Appropriations and estimated fund balances are hereby made for the various purposes designated in the 2005-2006 Final Budget.

SECTION 3. The budgets for all departments for the period July 1, 2005 through June 30, 2006, inclusively contained in the 2005-2006 Final Budget Resolution, are approved as the operating budget for those departments for fiscal 2005-2006.

SECTION 4. Any unused non-salary and benefits related appropriations, subject to the approval of the City Manager, at the end of fiscal 2005-2006 may be reappropriated for continued use in fiscal 2006-2007.

SECTION 5. No office, department, or agency shall expend any amount or incur any liability or enter into any contract, which by its terms involves expenditures of money for any purpose in excess of the amounts appropriated for the classification of expenditures pursuant to this resolution. Budgetary control shall be at the department level.

SECTION 6. The City Manager may authorize, when in his or her judgment such action is consistent with the purposes and intent of the Budget as adopted, budget revisions subject to the following conditions:

1. Prior Council/Agency Approval Not Required. Prior approval of the City Council and/or Redevelopment Agency is not required under the following circumstances:
 - a. When revisions which involve transfers from appropriated contingency reserves or appropriations from unallocated reserves are less than the aggregate amount of 1% of General Fund appropriations, or \$658,191 during fiscal 2005-2006, provided that the Council/Agency is notified in writing of the revision, giving the reason, the amount of the revision and the year-to-date total amount of revisions.

- b. When revisions involve transfers from one unencumbered line-item account balance to another, provided that the Council/Agency is notified in writing of any transfer in excess of \$10,000.
 - c. For Police goods and services to be purchased from Asset Seizure funds, the City Manager or his designee, has the authority to purchase such goods or services if the expenditures of such goods and services do not exceed the amount designated from Asset Seizure funds as approved by the City Council/Redevelopment Agency during the fiscal 2005-2006 Budget hearing.
2. Prior Council/Agency Approval Required. Prior approval of the City Council and/or Redevelopment Agency is required if any of the following are involved:
- a. Changes providing for increases in permanent personnel or changes in classification for personnel from the number of classes or personnel approved in the adopted Budget.
 - b. Contract change orders in excess of \$5,000.
 - c. Changes when in his or her judgment such action would be inconsistent with the purposes and intent of the Budget as adopted.
 - d. Transfers from contingent reserves or appropriations from unallocated reserves which would cause the aggregate amount of 1% of General Fund appropriations, or \$658,191 during fiscal 2005-2006, to be exceeded, except that proceeds of tax revenue in excess of appropriations limit shall be automatically appropriated to the contingency reserve at June 30, 2006.

PASSED AND ADOPTED this 7th day of June 2005, by the following vote of the City Council and the Redevelopment Agency:


AYES: (5) Chairperson Esteves, Vice Chair Gomez, and Agency Members Giordano, Livengood and Polanski.

NOES: (0) None.

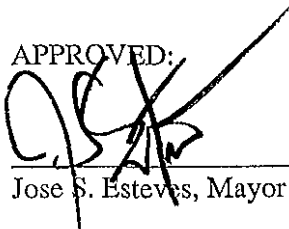
ABSENT: (0) None.

ABSTAIN: (0) None.

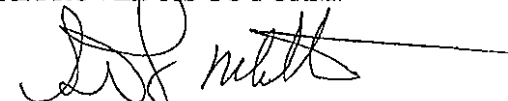
ATTEST:


Mary Lavelle, City Clerk / Agency Secretary

APPROVED:


Jose S. Esteves, Mayor / Chairperson

APPROVED AS TO FORM:


Steven T. Mattas, City Attorney / Agency Counsel

RESOLUTION NO. RA236 / 7532

A JOINT RESOLUTION OF THE MILPITAS REDEVELOPMENT AGENCY AND THE CITY COUNCIL OF THE CITY OF MILPITAS MAKING FINDINGS FOLLOWING A PUBLIC HEARING FOR USE OF REDEVELOPMENT FUNDS

WHEREAS, the Milpitas Redevelopment Agency and the City Council of the City of Milpitas seek to acquire, construct, and improve certain public facilities of benefit to the Redevelopment Area and to the community; and

WHEREAS, the 2005-2010 Capital Improvement Program enumerates the capital projects that the Agency and the City of Milpitas wishes to undertake, setting forth the desired timing and financing resources for the projects that is available to undertake said projects; and

WHEREAS, notice was given of a joint public hearing before the Milpitas Redevelopment Agency and the City Council of the City of Milpitas at 6:30 p.m. on May 10, 2005, at the Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, California; and

WHEREAS, prior to said hearing the 2005-2010 Capital Improvement Program was prepared and made available for public inspection and copying, and the 2005-2006 Capital Budget of the 2005-2010 Capital Improvement Program is hereby referred to and made a part hereof as though fully set forth herein; and

WHEREAS, a joint hearing was held at said time and place. Opportunity was given to any member of the public to comment, and to inquire. The hearing was closed, and following the close thereof the 2005-2010 Capital Budget was approved, as amended; and

WHEREAS, evidence was offered by the Agency/City staff in support of the findings hereafter made.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Each of the statements contained in the above recitals are true and correct, and incorporated herein by reference and are approved and confirmed.

SECTION 2. The evidence offered by the Agency/City staff and contained in the 2005-2010 Capital Improvement Program set forth the facts supporting the determinations required to be made pursuant to Section 33445 of the Health and Safety Code and set forth the redevelopment purpose for which redevelopment funds are being used to pay for the acquisition, construction, and improvements of publicly owned facilities.

SECTION 3. The land and facilities to be acquired, constructed, and improvements that are to be made thereon are within the Project Area of the Agency or adjacent to the Project Area.

SECTION 4. The acquisition of land, facilities, buildings, structures, and other improvements to be acquired or constructed as set forth in the 2005-2010 Capital Improvement Program are of benefit to the Project Area and will assist in eliminating blighting conditions within the Project Area.

SECTION 5. No other reasonable means of financing such buildings, land, facilities, structures or other improvements are available to the community.

PASSED AND ADOPTED this 7th day of June 2005, by the following vote of the Redevelopment Agency and the City Council of the City of Milpitas:

AYES: (5) Chairperson Esteves, Vice Chair Gomez, and Agency Members Giordano, Livengood and Polanski.

NOES: (0) None.

ABSENT: (0) None.

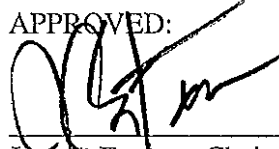
ABSTAIN: (0) None.

ATTEST:



Mary Lavelle, Agency Secretary / City Clerk

APPROVED:



Jose S. Esteves, Chairperson / Mayor

APPROVED AS TO FORM:



Steven T. Mattas, Agency Counsel / City Attorney

RESOLUTION NO. RA238

A RESOLUTION OF THE MILPITAS REDEVELOPMENT AGENCY DETERMINING THAT THE PLANNING AND ADMINISTRATION EXPENSES TO BE FUNDED IN FISCAL YEAR 2005-2006 BY THE HOUSING RESERVE FUND ARE NECESSARY FOR THE PRODUCTION, IMPROVEMENT AND/OR PRESERVATION OF AFFORDABLE HOUSING FOR THE LOW AND MODERATE INCOME HOUSEHOLDS

WHEREAS, on September 21, 1976, by Ordinance No. 192, the City Council of the City of Milpitas adopted the redevelopment plan ("Redevelopment Plan") for the Milpitas Redevelopment Project Area No. 1 ("Original Project Area"); and

WHEREAS, the Redevelopment Plan has been amended a total of eight (8) times to, among other things, add area to the Original Project Area, increase the tax increment and bonded indebtedness limits, and extend the dates to incur debt, repay debt and collect tax increment; and

WHEREAS, pursuant to Section 33334.2(a) of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) not less than 20% of all taxes which are allocated to the Milpitas Redevelopment Agency ("Agency") shall be set aside by the Agency in a Housing Reserve Fund and used by the Agency for the purpose of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing costs to people and families of low and moderate income; and

WHEREAS, pursuant to Section 33334.3(d) of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) it is the intent of the California State Legislature that the amount of money spent for planning and general administration from the Housing Reserve Fund not be disproportionate to the amount actually spent for the cost of production.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Agency hereby determines that it is necessary to allocate \$764,576 of the estimated \$5,325,400 Housing Reserve Fund Budget for the planning and administrative expenses necessary for the production, improvement, and/or preservation of low and moderate housing during the 2005-2006 fiscal year.

PASSED, APPROVED, AND ADOPTED this 7th day of June 2005, by the following vote of the Milpitas Redevelopment Agency:

AYES: (5) Chairperson Esteves, Vice chair Gomez, and Agency Members Giordano, Livengood and Polanski.

NOES: (0) None.

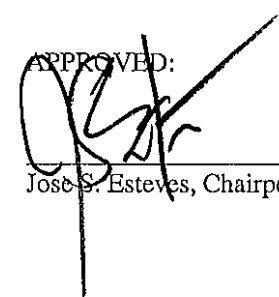
ABSENT: (0) None.

ABSTAIN: (0) None.


ATTEST:


Mary Lavelle, Agency Secretary

APPROVED:


Jose S. Esteves, Chairperson

APPROVED AS TO FORM:


Steven T. Matias, Agency Counsel

RESOLUTION NO. RA237

**A RESOLUTION OF THE MILPITAS REDEVELOPMENT AGENCY AUTHORIZING PAYMENTS
TO THE CITY OF MILPITAS PURSUANT TO THE SECOND AMENDED AND RESTATED PUBLIC
WORKS AGREEMENT**

WHEREAS, on September 21, 1976, by Ordinance No. 192, the City Council of the City of Milpitas ("City") adopted the redevelopment plan ("Redevelopment Plan") for the Milpitas Redevelopment Project No. 1, which the City has subsequently amended a total of eight times (as amended, the "Project"); and

WHEREAS, pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.) and its general city powers, the City desires to assist the Milpitas Redevelopment Agency ("Agency") in the implementation of the Project; and

WHEREAS, on June 3, 2003, the City and the Agency entered into a Second Amended and Restated Public Works Agreement ("Agreement") for the construction of Public Improvements; and

WHEREAS, under the Agreement, the City is required to cause the acquisition and construction of certain public improvements and the performance of certain programs and activities as identified in the Redevelopment Agency Financing pages of the Five Year Capital Improvement Program, attached hereto as Attachment No. 1 (the "Public Improvements") to serve and benefit the Project; and

WHEREAS, the Agency and the City have determined that the Public Improvements are of benefit to the Project, and that no other reasonable means of financing such Public Improvements are available to the community.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In return for the City's obligation to acquire, construct and perform such Public Improvements, the Agency shall pay to the City full cost of the Public Improvements as set forth in Attachment No. 1, or any portion thereof as demanded by the City.

PASSED AND ADOPTED this 7th day of June 2005, by the following vote:

AYES: (5) Chairperson Esteves, Vice Chair Gomez, and Agency Members Giordano, Livengood and Polanski.

NOES: (0) None.

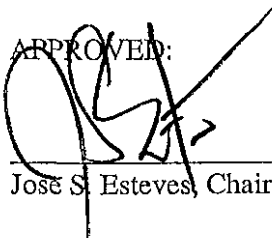
ABSENT: (0) None.

ABSTAIN: (0) None.


ATTEST:


Mary Lavelle, Agency Secretary

APPROVED:


Jose S. Esteves, Chairperson

APPROVED AS TO FORM:


Steven T. Mattas, Agency Counsel

Attachment No. 1
City of Milpitas
2005-10 CAPITAL IMPROVEMENT PROGRAM
REDEVELOPMENT AGENCY FINANCING

RDA Tax Increment

Summary	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
Community Improvement	25,002,688	980,000	1,500,000	410,000	200,000	0	28,092,688
Park Improvement	2,319,978	300,000	0	0	0	0	2,619,978
Sewer Improvement	605,000	0	0	0	0	0	605,000
Storm Drain Improvement	1,422,000	1,415,000	0	0	0	0	2,837,000
Streets	40,001,277	60,000	385,000	85,000	85,000	1,416,000	42,832,277
Water	2,280,286	0	0	0	0	0	2,280,286
RDA Tax Increment Totals	72,431,229	2,755,000	1,885,000	495,000	285,000	1,416,000	79,267,229

RDA Bond (1997, 2000, and 2003)

Summary	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
Community Improvement	49,705,500	12,065,000	33,700,000	2,600,000	8,400,000	0	108,470,500
Sewer Improvement	7,000,000	1,000,000	0	0	0	0	8,000,000
Storm Drain Improvement	100,000	0	0	0	0	0	100,000
Streets	17,680,000	1,000,000	4,350,000	0	0	0	23,030,000
RDA Bond Totals	74,485,500	14,065,000	38,050,000	2,600,000	8,400,000	0	137,600,500

Community Improvement

	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
8083 Public Works Yard Parking Lot Expansion	250,000	0	0	0	40,000	0	290,000
8102 Community Center Renovation	410,000	0	0	0	100,000	0	510,000
8135 Buildings Improvements	520,508	150,000	50,000	0	60,000	0	780,508
8153 N. Main St. Utility Improvements	1,800,000	1,000,000	0	0	0	0	2,800,000
8154 East Garage Land Acquisition & Site Prep.	335,000	4,165,000	0	0	0	0	4,500,000
8159 Evidence Freezer	65,000	60,000	0	0	0	0	125,000
8160 Sports Center Large Gym Improvements	150,000	0	1,000,000	0	0	0	1,150,000
8161 Midtown Parking Garage East	3,900,000	5,600,000	0	0	0	0	9,500,000
8162 Library	4,000,000	1,300,000	33,700,000	0	0	0	39,000,000
New Corporation Yard Fuel Island	0	0	450,000	0	0	0	450,000
New Emergency Operations Vulnerability Assessment	0	35,000	0	0	0	0	35,000
New In-ground Water Clarifiers	0	0	0	110,000	0	0	110,000
New North Main St. Development EIR Mitigations	0	500,000	0	0	0	0	500,000
New Public Works Security	0	25,000	0	0	0	0	25,000
New Range Lead Containment System	0	210,000	0	0	0	0	210,000
New Senior Center	0	0	0	2,600,000	8,400,000	0	11,000,000
New Sports Center Swimming Pool Improvements	0	0	0	300,000	0	0	300,000
Total:	11,430,508	13,045,000	35,200,000	3,010,000	8,600,000	0	71,285,508

Park Improvement

	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
8149 Sports Center Parking Lot Circulation Phase I	1,526,378	300,000	0	0	0	0	1,826,378
Total:	1,526,378	300,000	0	0	0	0	1,826,378

Streets

	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
8157 Abel Street Midtown Improvements	755,000	200,000	0	0	0	0	955,000
8164 Bart Extension Coordination and Planning	85,000	35,000	85,000	85,000	85,000	0	375,000
8165 N. Main St. Midtown Streetscape Improvements	700,000	800,000	4,350,000	0	0	0	5,850,000
New Light Rail Median Landscaping	0	0	0	0	0	1,416,000	1,416,000
New Milpitas Boulevard Signal Interconnect	0	25,000	150,000	0	0	0	175,000
New North Milpitas Blvd. Soundwall Renovation	0	0	150,000	0	0	0	150,000
Total:	1,540,000	1,060,000	4,735,000	85,000	85,000	1,416,000	8,921,000

Sewer Improvement

	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
6079 Main Sewer Pump Station Site Improvements	1,145,000	1,000,000	0	0	0	0	2,145,000
Total:	1,145,000	1,000,000	0	0	0	0	2,145,000

Storm Drain Improvement

	Prior Year	2005-06	2006-07	2007-08	2008-09	2009-10	TOTAL
8138 Berryessa Pump Station Improvements	385,000	1,415,000	0	0	0	0	1,800,000
Total:	385,000	1,415,000	0	0	0	0	1,800,000